

FROM :

FAX NO. :

Jan. 18 2005 12:31PM P6

REMARKS / ARGUMENTS

The undersigned attorney acknowledges that some of the arguments presented in the previous amendment with respect to the O'Link reference were incorrect. This mistaken interpretation of that reference was due to a misunderstanding of Fig. 4 of that reference. Upon further review of that reference it now seems clear that the orientation of Fig. 4 is the reverse of that shown in Fig. 2. Based on this misinterpretation, arguments were presented that floatation material was located on the front and back of the O'Link device so that floatation material would overlap beneath the wearer's arms. It now appears clear that, ignoring the irrelevant collar, floatation material would only be located on the front of the garment and would only extend partially around the sides with a rear edge located beneath the wearer's arms, but not extending to the rear of the garment and to the rear of the wearer's torso.

Each of the pending claims, however, require that flotation material extend not only beneath the wearer's arms but behind the wearer as well. Although Michalochick et al does show floatation material extending over the wearer's shoulders, it does not show material extending beneath the wearer's arms and behind the wearer's torso, and O'Link does not supply this missing element or any suggestion to modify Michalochick et al. Therefore it is submitted that the Final Rejection was improper and should be withdrawn.

The undersigned attorney apologizes for this misinterpretation, which was made without deceptive intention, and at the time was believed to be a correct interpretation of an disclosure, which is still believed to be far from clear with respect to those elements relevant to the rejection of the pending claims.

The arguments submitted herein are believed sufficient to demonstrate that the Final Rejection of the pending claims is inadequate and should therefore be withdrawn.

FROM :

FAX NO. :

Jan. 18 2005 12:31PM P7

The application is believed to be in condition for allowance and issuance of a notice of allowance is therefore courteously solicited.

Respectfully Submitted:



Robert W. Pitts
Registration No. 27372
Attorney for Applicants
Phone: 336-760-9565